



Our Docket No.: 42P16889

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Richard D. Emery)
)
Application No: 10/608,718)
)
Filed: June 27, 2003)
)
For: Fabrication of Microelectronic Devices)
_____)

Examiner: Nguyen, Dilinh P.
Art Unit: 2814

REINSTATEMENT OF APPEAL

Mail Stop Appeal
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir or Madam:

In response to the Office Action mailed May 31, 2006, the Applicant respectfully
reinstatement of the appeal in this matter.

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that I am causing the above-referenced correspondence to be deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and that this paper or fee has been addressed to the Commissioner for Patents, Alexandria, VA 22313.

Date of Deposit: 8-31-06

Name of Person Mailing Correspondence: Gayle Bekish

Gayle
Signature

8-31-06
Date

REINSTATEMENT OF APPEAL

Applicant respectfully requests reinstatement of the appeal in this matter. A Notice of Appeal is filed herewith.

Applicant previously filed an Appeal Brief on July 25, 2005. The Examiner reopened prosecution pursuant to the non-final Office Action mailed November 2, 2005, to which a response was filed on March 2, 2006.

An additional non-final Office Action was mailed on May 31, 2006, and, in response to such Office Action, Applicant hereby requests reinstatement of the previous appeal.

Appeal Brief – A new appeal brief will be filed by Applicant.

No Fee is Due – Fees Previously Paid

It is Applicant's understanding that no fee is due for the Notice of Appeal in this matter. Applicant is reinstating an appeal for which an appeal fee and appeal brief fee have already been paid, and previously paid appeal fees paid pursuant to CFR §41.20 are applied to the reinstated appeal. (MPEP §1204.1)

Request for an Extension of Time

The Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please the necessary fee to our Deposit Account No. 02-2666.


Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 8/31/06


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